

**ZONING COMMITTEE
MINUTES
WEDNESDAY, NOVEMBER 30, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, November 30, 2011** in Committee Room #2, at 9:34 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair
The Honorable Ivory Lee Young, Jr.
The Honorable Howard Shook
The Honorable Carla Smith
The Honorable Keisha Lance Bottoms
The Honorable Cleta Winslow, Vice Chair**

The following Councilmember was absent:

The Honorable Kwanza Hall

Others present at the meeting were: Director Charletta Wilson-Jacks, City Attorney Lem Ward, Law Department; and members of the public and Council staff.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

11-O-1781 (1) An Ordinance by Zoning Committee to rezone from I-2
Z-11-31 (Heavy Industrial) District to the LW (Live Work) District,
property located at **1970 Hills Avenue (a.k.a. Collier Road),**
NW, fronting approximately 419.25 feet on the north side of
Collier Road, beginning 243.5 feet from the northeasterly
corner of Chattahoochee Avenue.

Depth: Varies

Area: 7.031 Acres

Land Lots: 193 and 222, 17th District, Fulton County,
Georgia

Owner: JAR Enterprises, Inc

Applicant: Enfold Properties, LLC

NPU-D

Council District 9

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

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C. ORDINANCES FOR FIRST READING (CONT'D)

11-O-1782 (2) An Ordinance by Zoning Committee to rezone from the R-
Z-11-32 3 (Single Family Residential) District to the MR-4B (Multi-
Family Residential) District, property located at **729 and 721**
Longleaf Drive, NE, fronting approximately 169.74 feet on
the east side of Phipps Boulevard at the southwest
intersection of Longleaf Drive and Phipps Boulevard.

Depth: Varies

Area: 0.83 Acre

Land Lot: 44, 17th District, Fulton County, Georgia

Owner: US Managers Realty

Applicant: Winston Smith

NPU-B

Council District 7

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

11-O-1783 (3) An Ordinance by Zoning Committee to rezone from the I-
Z-11-33 1 (Light Industrial) District to the MR-5A (Multi-Family
Residential) District, property located at **568, 580 and 600**
Somerset Terrace, NE, fronting approximately 364.5 feet on
the south side of North Avenue and at the northeast
intersection of Somerset Terrace and North Avenue.
Property also fronts approximately 98 feet on the north side
of Angier Springs Road and is bordered on its western
boundary by the Norfolk Southern Railway.

Depth: Varies

Area: 2.71 Acres

Land Lot: 18, 14th District, Fulton County, Georgia

Owner: Robert S. Bridges, TSO Eastbelt, LLC and
DHC Investments, LLC

Applicant: Perennial Properties by Aaron Goldman

NPU-N

Council District 2

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

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C. ORDINANCES FOR FIRST READING (CONT'D)

11-O-1784 (4) An Ordinance by Zoning Committee to grant a Special Use
U-11-38 Permit pursuant to Section 16-06.005 (l)(l) for a Private
School, property located at **458 Ponce de Leon Avenue, NE**,
fronting approximately 622.47 feet on the east side of
Charles Allen Drive and Approximately 298.31 feet on the
north side of Ponce de Leon Avenue, NE and at the northeast
intersection of Charles Allen Drive and Ponce de Leon
Avenue.

Depth:	Varies
Area:	3.518 Acres
Land Lot:	48, 14 th District, Fulton County, Georgia
Owner:	Grace United Methodist Church
Applicant:	The Orion School
NPU-E	Council District 6

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

REGULAR AGENDA

D. ORDINANCE FOR SECOND READING

11-O-1771 (1) An Ordinance by Councilmember Kwanza Hall authorizing
the installation of Public Art (Overture #22) at 250 Williams
Street, NW as pursuant to Code Section 16-28.025 of the
1982 Zoning Ordinance of the City of Atlanta; and for other
purposes.

Councilmember Young made a motion to approve. The vote
was unanimous.

FAVORABLE

E. ZRB SUMMARY REPORT

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F. PAPERS HELD IN COMMITTEE

10-O-0013 (1)
Z-07-113 An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**
Depth: Approximately 1,010 Feet
Area: Approximately 10.32 Acres
Land Lot: 42, 14th District, Fulton County, Georgia
Owner: JWGST LLC/Joseph Wiles
Applicant: Jason Fritz
NPU-Y **Council District 1**

HELD

10-O-0035 (2)
U-09-22 An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**
Depth: Varies
Area: Approximately 5.8 Acres
Land Lot: 15, 14th District, Fulton County, Georgia
Owner: Charitable Connections, Inc.
Applicant: Charitable Connections, Inc./Michelle R. Uchiyema
NPU-H **Council District 10**

Councilmember Shook made a motion to file. The vote was unanimous.

FILE

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F. PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0824 (3) An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (To be Advertised for a Public Hearing)**

HELD

- 11-O-0692 (4) An **Amended** Ordinance by Zoning Committee granting a
U-11-16 Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE** (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

HELD

- 11-O-0693 (5) An **Amended** Ordinance by Zoning Committee granting a
U-11-17 Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **641 (C 665) North Avenue, NE** (Perlman Tract) (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

HELD

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F. PAPERS HELD IN COMMITTEE (CONT'D)

11-O-0857 (6) An **Amended** Ordinance by Zoning Committee granting a
U-11-18 Special Use Permit pursuant to Section 16-28.023 (2)(c)(3)
and Section 16-28.027 (3)(c) of the City of Atlanta Zoning
Ordinance for a Transfer of Excess Development Rights.
Said use is granted to Atlanta BeltLine, Inc., (Recipient
Parcel) its successors, assigns and all subsequent owners
and are to be transferred from the **690 Morgan Street, NE.**
(a.k.a. 0 North Avenue Tax Parcel Identification 14-0018-
0001-026-5), (Donor Parcel). (Referred back by Full
Council 7/18/11) (Held 7/27/11)

HELD

11-O-0533 (7) An Ordinance by Councilmember Natalyn Mosby
Z-11-12 Archibong **as substituted by Zoning Committee** to amend
Chapter 32B NC-2 East Atlanta Village Neighborhood
Commercial District of the 1982 Zoning Ordinance of the
City of Atlanta Code of Ordinances for the purpose of adding
specific regulations; and for other purposes. **(Held 9/28/11)**

HELD

G. ADJOURNMENT

LINK TO ZRB PENDING LEGISLATION

<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

SUMMARY REPORT
November 30, 2011

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
<u>FAVORABLE</u>						
11-O-1279	Z-11-21	Inman Park Historic Regulations N- 6	Text Amendment	Approval on Substitute	Approval	Approval on Substitute
Councilmember Young made a motion to approve on substitute. The vote was unanimous.						
<u>FAVORABLE</u>						
11-O-1582	Z-11-24	345 Ashwood Avenue, S.E. Y-12	R-4A to RG-3	Approval	Approval	Approval
Councilmember Shook made a motion to approve. The vote was unanimous.						
<u>ADVERSE</u>						
11-O-1288	U-11-33	415 Sawtell Avenue, S.E. Y-1	Special Use Permit for a Junkyard, Automobile Salvage Yard (Impound Lot)	Approval Conditional	Denial	Denial
Councilmember Young made a motion to adverse. The was 5 Yea's and 1 Abstention (Lance Bottoms)						

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There being no further business to come before the Zoning Committee the meeting was adjourned at 9:41 a.m.

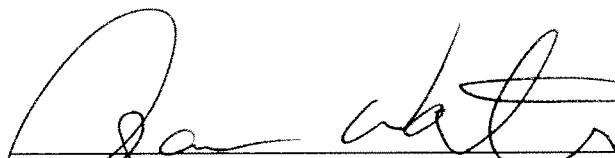
Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Aaron Watson, Chair